

**Matrix 5-10: Cross-reference of Property Rights Laws and Guidance Documents**

Program and Activities	Laws and Guidance Documents	Standards or Criteria	Contact	Applicable to Federal Consistency
Just Compensation Legislation				
PROPERTY TAKEN FOR A PUBLIC USE: Compensation is provided to commercial and industrial uses, as well as residential and agricultural uses.	IC 32-11-1 IC 32-11-1.5 IC 32-11-2 IC 32-11-3  Unger V. Indiana & Michigan Elec. Co  Bray v. Tardy.	Specific procedures, outlined by statute, govern takings by towns, cities, the state, and public utilities.	Office of Attorney General State House, Rm. 219 Indianapolis, IN 46204 (317) 232-6201	Not applicable.
Relocation Assistance				
RELOCATION: A person displaced by a public project can receive compensation.	IC 8-23-17-13	A person is eligible for compensation if the person moves from real property or moves personal property from real property: (1) because of the acquisition of the real property and the improvements located on the real property; (2) because of the partial acquisition of real property to the extent that continued use by the owner or occupant is rendered impossible or impracticable; (3) as a result	INDOT 100 N. Senate St., N901 Indianapolis, IN 46204 (317) 232-5533	Not applicable.

Excerpt from Indiana Lake Michigan Coastal Program and Final Environmental Impact Statement April 2002  
 Chapter 5: Existing Management Authorities

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		of a written order of the acquiring agency to vacate the real property intended to be acquired by the agency; or, (4) as a result of an order issued by an agency engaged in code enforcement activities to vacate the real property.		
Takings Analysis for New Rules				
TAKINGS ANALYSIS: Before a rule becomes law, the Attorney General reviews the law for legality.	1993 P.L. 12 IC 4-22-2-32	The Attorney General shall consider whether the rule may constitute a taking of property without compensation to the owner. If the Attorney General determines the rule constitutes a taking of property, the Attorney General is required to advise the Governor and the agency proposing the rule.	Office of Attorney General State House, Rm. 219 Indianapolis, IN 46204 (317) 232-6201	Not applicable.
Trespass				
TRESPASS: Entering upon the property of another without consent can be classified as civil or criminal.	IC 33-14-1-4 IC 35-43-2-2  Evans v. State	Criminal trespass is committed when a person: (1) knowingly enters another's property after having been denied permission to enter; (2) refuses to leave the property of another after having been asked to leave; (3)	Local law enforcement official.	IC 33-14-1-4 IC 35-43-2-2

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		<p>accompanies another person in a vehicle knowing the other person is operating the vehicle without authorization; (4) interferes with the use of another person's property; and, (5) enters another person's dwelling without consent.</p>		
Litter and Trash				
LITTERING: Littering is a violation of state law.	<p>IC 34-14-1-4            IC 35-45-3-2</p>	<p>A person who recklessly, knowingly, or intentionally leaves refuse on property of another commits littering.</p>	<p>Local law enforcement official.</p>	<p>IC 34-14-1-4            IC 35-45-3-2</p>
OPEN DUMPING: Garbage and other waste material is to be disposed in proper containers or a sanitary landfill.	<p>IC 13-30-2-1            IC 13-30-3-13</p>	<p>Violations include: (1) depositing contaminants or solid waste on the land; and, (2) disposing solid waste in or adjacent to a public highway, state park, state nature preserve, or recreation area next to a lake or stream.</p>	<p>IDEM, Office of Solid and Hazardous Waste            100 N. Senate Ave.            PO Box 6015            Indianapolis, IN 46204            (317) 232-8871            1-800-451-6027</p>	<p>IC 13-30-2-1            IC 13-30-3-13</p>
WASTE DISPOSAL: DNR regulates the disposal of waste near a lake or within a floodway.	<p>IC 14-28-1-27            IC 14-28-1-36</p>	<p>Disposing of contaminants, garbage, or solid waste within 15 feet of a lake or in a floodway is prohibited.</p>	<p>DNR, Division of Law Enforcement, District 10; 100 W. Water St. Michigan City, IN 46360            (219) 879- 5710</p>	<p>IC 14-28-1-27            IC 14-28-1-36</p>